Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number *(if known)* ____________ Chapter **11**

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals,* is available.

1.	**Debtor's name**	**Ke Kailani Development, LLC**
2.	**All other names debtor used in the last 8 years** Include any assumed names, trade names and *doing business as* names	
3.	**Debtor's federal Employer Identification Number** (EIN)	**04-3686745**
4.	**Debtor's address**	**Principal place of business** **33 Reyburn Drive** **Katonah, NY 10536** Number, Street, City, State & ZIP Code **Westchester** County **Mailing address, if different from principal place of business** P.O. Box, Number, Street, City, State & ZIP Code **Location of principal assets, if different from principal place of business** Number, Street, City, State & ZIP Code
5.	**Debtor's website** (URL)	
6.	**Type of debtor**	■ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) ☐ Partnership (excluding LLP) ☐ Other. Specify:

7. Describe debtor's business

A. *Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ■ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See http://www.uscourts.gov/four-digit-national-association-naics-codes.

____

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9
- ■ Chapter 11. *Check all that apply*:
  - ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than $2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
  - ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
  - ☐ A plan is being filed with this petition.
  - ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
  - ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
  - ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
- ☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

If more than 2 cases, attach a separate list.

- ■ No.
- ☐ Yes.

District ______ When ______ Case number ______
District ______ When ______ Case number ______

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

List all cases. If more than 1, attach a separate list

- ■ No
- ☐ Yes.

Debtor ______ Relationship ______
District ______ When ______ Case number, if known ______

Debtor **Ke Kailani Development, LLC**
Name

Case number (*if known*)

11. Why is the case filed in *this district?*

Check all that apply:

- ■ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ■ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (*Check all that apply.*)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
  What is the hazard?
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency
  Contact name
  Phone

Statistical and administrative information

13. Debtor's estimation of available funds

. *Check one:*

- ■ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

■ 1-49	☐ 1,000-5,000	☐ 25,001-50,000
☐ 50-99	☐ 5001-10,000	☐ 50,001-100,000
☐ 100-199	☐ 10,001-25,000	☐ More than100,000
☐ 200-999		

15. Estimated Assets

■ $0 - $50,000	☐ $1,000,001 - $10 million	☐ $500,000,001 - $1 billion
☐ $50,001 - $100,000	☐ $10,000,001 - $50 million	☐ $1,000,000,001 - $10 billion
☐ $100,001 - $500,000	☐ $50,000,001 - $100 million	☐ $10,000,000,001 - $50 billion
☐ $500,001 - $1 million	☐ $100,000,001 - $500 million	☐ More than $50 billion

16. Estimated liabilities

☐ $0 - $50,000	☐ $1,000,001 - $10 million	☐ $500,000,001 - $1 billion
☐ $50,001 - $100,000	■ $10,000,001 - $50 million	☐ $1,000,000,001 - $10 billion
☐ $100,001 - $500,000	☐ $50,000,001 - $100 million	☐ $10,000,000,001 - $50 billion
☐ $500,001 - $1 million	☐ $100,000,001 - $500 million	☐ More than $50 billion

Debtor **Ke Kailani Development, LLC** Case number (*if known*)
Name

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to $500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is trued and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 1, 2017**
MM / DD / YYYY

X **/s/ Michael Fuchs**
Signature of authorized representative of debtor

Michael Fuchs
Printed name

Title **Managing Member**

---

18. Signature of attorney

X **/s/ Joel M. Shafferman**
Signature of attorney for debtor

Date **May 1, 2017**
MM / DD / YYYY

Joel M. Shafferman
Printed name

Shafferman & Feldman LLP
Firm name

137 Fifth Avenue
9th Floor
New York, NY 10010
Number, Street, City, State & ZIP Code

Contact phone **212 509-1802** Email address **joel@shafeldlaw.com**

JMS-1055
Bar number and State

Fill in this information to identify the case:

Debtor name **Ke Kailani Development, LLC**

United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF NEW YORK**

Case number (if known): ______________

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Department of Taxation (State of Hawaii) 830 Punchbowl Street Honolulu, HI 96813		**Excise Taxes**				Unknown
Ellen Grimes 950 Third Avenue New York, NY 10022		**Professional Services**				Unknown
Hawaiiana Development Group 1099 Alakea Street, Suite 1600 Honolulu, HI 96813		**Development Management Services**				Unknown
Ian K. Caitano d/b/a Ikc Services LLC 775 Kinalau Place Apartment 701 Honolulu, HI 96813		**Administrative Services**				Unknown
Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346		**Taxes**				Unknown
Ke Kailani Partners LLC c/o Dechert LLP 1095 Avenue of the Americas New York, NY 10036		**Judgment**	**Disputed**			**$25,000,000.00**
NYS Dept of Tax & Finance Bkrtcy Unit-TCD Building 8, Room 455 WA Harriman State C Albany, NY 12227		**Taxes**				Unknown

Debtor **Ke Kaliani Development, LLC**
Name

Case number *(if known)*

Name of creditor and complete mailing address, including zip code	**Name, telephone number and email address of creditor contact**	**Nature of claim** (for example, trade debts, bank loans, professional services,	**Indicate if claim is contingent, unliquidated, or disputed**	**Amount of claim** If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	**Deduction for value of collateral or setoff**	**Unsecured claim**
Robert Grimes **950 Third Avenue** **New York, NY 10022**		**Professional Services**				Unknown

Fill in this information to identify the case:

Debtor name **Ke Kailani Development, LLC**

United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF NEW YORK**

Case number (if known): ____________

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Department of Taxation (State of Hawaii) 830 Punchbowl Street Honolulu, HI 96813		**Excise Taxes**				Unknown
Ellen Grimes 950 Third Avenue New York, NY 10022		**Professional Services**				Unknown
Hawaiiana Development Group 1099 Alakea Street, Suite 1600 Honolulu, HI 96813		**Development Management Services**				Unknown
Ian K. Caitano d/b/a Ikc Services LLC 775 Kinalau Place Apartment 701 Honolulu, HI 96813		**Administrative Services**				Unknown
Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346		**Taxes**				Unknown
Ke Kailani Partners LLC c/o Dechert LLP 1095 Avenue of the Americas New York, NY 10036		**Judgment**	**Disputed**			**$25,000,000.00**
NYS Dept of Tax & Finance Bkrtcy Unit-TCD Building 8, Room 455 WA Harriman State C Albany, NY 12227		**Taxes**				Unknown

Debtor **Ke Kaliani Development, LLC**
Name

Case number *(if known)*

Name of creditor and complete mailing address, including zip code	**Name, telephone number and email address of creditor contact**	**Nature of claim** (for example, trade debts, bank loans, professional services,	**Indicate if claim is contingent, unliquidated, or disputed**	**Amount of claim** If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	**Deduction for value of collateral or setoff**	**Unsecured claim**
Robert Grimes **950 Third Avenue** **New York, NY 10022**		**Professional Services**				Unknown

DEPARTMENT OF TAXATION (STATE OF HAWAII)
830 PUNCHBOWL STREET
HONOLULU, HI 96813

ELLEN GRIMES
950 THIRD AVENUE
NEW YORK, NY 10022

HAWAIIANA DEVELOPMENT GROUP
1099 ALAKEA STREET, SUITE 1600
HONOLULU, HI 96813

IAN K. CAITANO D/B/A IKC SERVICES LLC
775 KINALAU PLACE APARTMENT 701
HONOLULU, HI 96813

INTERNAL REVENUE SERVICE
PO BOX 7346
PHILADELPHIA, PA 19101-7346

KE KAILANI PARTNERS LLC
C/O DECHERT LLP
1095 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

NYS DEPT OF TAX & FINANCE
BKRTCY UNIT-TCD
BUILDING 8, ROOM 455 WA HARRIMAN STATE C
ALBANY, NY 12227

ROBERT GRIMES
950 THIRD AVENUE
NEW YORK, NY 10022

United States Bankruptcy Court
Southern District of New York

In re **Ke Kailani Development, LLC** Case No. ______
Debtor(s) Chapter **11**

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Ke Kailani Development, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

May 1, 2017
Date

/s/ Joel M. Shafferman
Joel M. Shafferman JMS-1055
Signature of Attorney or Litigant
Counsel for **Ke Kailani Development, LLC**

Shafferman & Feldman LLP
137 Fifth Avenue
9th Floor
New York, NY 10010
212 509-1802 Fax:212 509-1831
joel@shafeldlaw.com